

## **907 KAR 1:270. Podiatry Program services.**

RELATES TO: KRS 205.520, 42 C.F.R. 440.60, 42 U.S.C. 1396a, b, d

STATUTORY AUTHORITY: KRS 194A.030(2), 194A.050(1), 205.520(3), EO 2004-726

NECESSITY, FUNCTION, AND CONFORMITY: EO 2004-726, effective July 9, 2004, reorganized the Cabinet for Health Services and placed the Department for Medicaid Services and the Medicaid Program under the Cabinet for Health and Family Services. The Cabinet for Health and Family Services, Department for Medicaid Services, has responsibility to administer the Medicaid Program. KRS 205.520(3) authorizes the cabinet, by administrative regulation, to comply with a requirement that may be imposed or opportunity presented by federal law for the provision of medical assistance to Kentucky's indigent citizenry. This administrative regulation establishes the coverage provisions relating to podiatry services for which payment shall be made by the Medicaid Program on behalf of both categorically needy and medically needy beneficiaries.

Section 1. Coverage. The Medicaid program shall cover a medical or surgical service provided to an eligible Medicaid recipient by a licensed, participating podiatrist if the service falls within the scope of the practice of podiatry except as provided in Section 2 of this administrative regulation.

Section 2. Exclusions From Coverage; Exceptions. Except as provided in this section, the following areas of care shall not be covered:

(1) Routine foot care.

(a) Except as provided in paragraph (b) of this subsection and subsection (2) of this section, a service characterized as routine foot care shall not be covered. Routine foot care shall include:

1. The cutting or removal of a corn or callus;
2. The trimming of a nail; or
3. Other hygienic or preventive maintenance care in the realm of self-care including:
  - a. Cleaning or soaking a foot;
  - b. The use of a skin cream to maintain skin tone of an ambulatory or bedfast patient; or
  - c. A service performed in the absence of localized illness, injury or symptom involving the foot.

(b) If the patient has a systematic disease of sufficient severity that unskilled performance of the following procedures would be hazardous and the patient's condition results from severe circulatory embarrassment or an area of desensitization in a leg or foot, payment shall be made for routine foot care, including the cutting or removing of a:

1. Corn;
2. Callus; or
3. Nail.

(2) A service ordinarily considered routine shall be covered if the service is performed as a necessary and integral part of an otherwise covered service, including the diagnosis or treatment of:

- (a) A diabetic ulcer;
- (b) A wound; or
- (c) An infection.

(3) A diagnostic or treatment service for a foot infection shall be covered.

Section 3. Incorporation by Reference. (1) "Podiatry Program Manual", July 1997 edition, Department of Medicaid Services, is incorporated by reference.

(2) It may be inspected, copied, or obtained at the Department for Medicaid Services, 275 East Main Street, Frankfort, Kentucky, 40621, Monday through Friday, 8 a.m. to 4:30 p.m. (Recodified from 904 KAR 1:270, 5-2-86; Am. 18 Ky.R. 1647; eff. 1-10-92; 23 Ky.R. 4241; 24 Ky.R. 385; eff. 7-16-97.)